

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YOSHIO GODA,
NORIO SUZUKI and
KIYOSHI YAMASHITA

Application 09/980,880

MAILED

JAN 10 2008

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on December 19, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified as follows.

INFORMATION DISCLOSURE STATEMENT

Appellants filed an Information Disclosure Statement (IDS) dated March 9, 2007. There is no indication on the record that the above IDS was considered by the Examiner. MPEP § 609 requires the Examiner to consider any Information Disclosure Statement filed by Applicant if timely submitted. A written

Application No. 09/980,880

communication notifying appellant of the Examiner's consideration of the above IDS is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner for:

- (1) consider the Information Disclosure Statement submitted; and
- (2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:

Patrick J. Nolan
Patrick J. Nolan
Deputy Chief Appeals Administrator
(571) 272-9797

PJN/cam

Lawrence E. Ashery
Ratner & Prestia
One Westlakes Berwyn
Suite 301
P O Box 980
Valley Forge, PA 19482-0980